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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-eighth session

SUMMARY RECORD OF THE 524th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 17 October 1997, at 10 a.m.

Chairman: Mr. SKOGMO (Norway)

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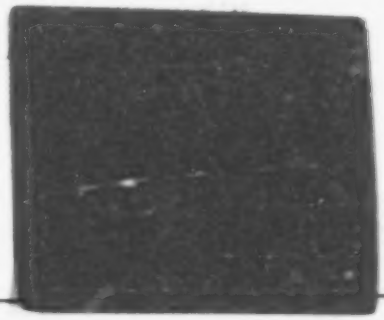

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GE.97-03200 (E)

The meeting was called to order at 10.40 a.m.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-EIGHTH SESSION OF THE EXECUTIVE COMMITTEE (document without a symbol) (agenda item 11)

1. The CHAIRMAN invited the Rapporteur to introduce the draft report of the forty-eighth session.

2. Mr. IRUMBA (Rapporteur) said that the nine decisions and conclusions contained in the draft report had been the subject of intensive consultations. Although some issues had been much debated, a constructive spirit of consensus had prevailed.

3. Mr. HALL (Secretary of the Executive Committee) drew attention to two additions to paragraph 26 of the draft report on observer participation in 1997-1998. The Kyrgyz Republic should be added to paragraph 26 (a) and the Organization of the Islamic Conference should be added to paragraph 26 (c).

4. Mr. VENU (India) proposed that the following subparagraph should be added at the end of paragraph 21 containing the draft conclusion on refugee children and adolescents: "Calls upon all States to participate constructively in the negotiations on an optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts with the aim of an early agreement on the text".

5. The draft report of the forty-eighth session of the Executive Committee, as amended, was adopted.

6. Mr. LEBEDEV (Russian Federation) said that his delegation welcomed the adoption of the conclusion on the implementation of the Programme of Action of the Geneva Conference, recognizing an acute situation of forced migration involving a population of approximately 300 million people. He hoped that the recommendations it contained would help interested Governments once more to review the question of mobilizing the necessary resources to support the measures taken by the countries of the Commonwealth of Independent States in that area. Due account must also be taken of the CIS countries' adherence to the principles and policy agreed on in the Programme of Action despite the pressure from involuntary migration being experienced by certain CIS countries.

7. The Russian Federation was of the view that individual, national and international security were interconnected elements of common security. Because it supported UNHCR's efforts to resolve many refugee crises, because of its special position at the crossroads of mass forced migration influxes and because it used significant amounts of its own means to help prevent those refugee flows from spreading to other countries, the Russian Federation had the right to expect a more intensive and balanced consideration of needs in that area.

CLOSING STATEMENT BY THE HIGH COMMISSIONER

8. Mrs. OGATA (High Commissioner for Refugees) said that the number and level of the delegations which had participated in the Executive Committee's

session reflected a broad interest in humanitarian affairs and refugees in particular. She was encouraged by the members' appreciation of UNHCR's difficulties and hoped that that sympathy would be translated into the political and financial support required to carry out UNHCR's mandate. She thanked those members that had pledged additional resources and said she counted on the members' shared determination to tackle the root causes of political, social and economic instability that generated population movements.

9. She expressed particular thanks to the High Commissioner for Human Rights for addressing the Executive Committee and for stressing the importance of cooperation between the two Offices in areas of common concern.

10. She was extremely encouraged by the very strong support given to the rights of asylum and non-refoulement, the non-negotiable foundations of her mandate. To uphold those fundamental refugee rights in practice, however, it was necessary to improve the implementation of humanitarian standards - safe location of camps, civilian character of refugee settlements, separation of armed elements, arrest and trial of those who committed crimes. In cooperation with the Organization of African Unity and its Secretary-General, she hoped to promote in the next few months comprehensive discussions on those issues with Governments in Africa, particularly in the Great Lakes region. She was convinced that promoting the correct application of humanitarian standards would, in the long term, result in increased regional stability and security.

11. The statement by the delegation of Rwanda had focused on the necessity to take account of the legitimate security concern of Governments when seeking solutions to refugee problems, a point she had emphasized herself in her opening statement. She disagreed, however, with the rather simplistic suggestion that that should be achieved by ignoring principles or by eliminating conventions and agreements which provided the framework for their implementation. In the refugee camps in the former Zaire, it had been the failure to apply the provisions embodied in refugee conventions, rather than the rigid application of principles, that had eventually contributed to insecurity and conflict. It must not be forgotten that millions of refugees owed their lives to the application of the generous provisions of humanitarian instruments, in particular the OAU Convention.

12. Turning to the statement of the Democratic Republic of the Congo, she said she appreciated the magnitude of the reconstruction task which the new Government must accomplish. With that in mind, UNHCR had allocated almost $20 million in January to rehabilitate areas affected by the massive presence and repeated displacements of refugees and other victims of conflict since 1994. She was also fully aware that the presence of certain undeserving elements among refugees had been, and still was, a very legitimate security concern for the Government. She would not further elaborate on UNHCR's attempts to obtain support in separating armed elements and political extremists from genuine refugees between 1994 and 1996, nor on its proposal, which had not been accepted, that Rwandan asylum-seekers remaining in the Democratic Republic of the Congo should be subject to proper refugee status determination procedures.

13. She did wish, however, to respond to three specific points raised by the Congolese delegation. First, when refugees had died, it had not been because humanitarian agencies had not tried to assist them, but because they had not been allowed to do so. Secondly, she categorically rejected any allegations that UNHCR staff had been involved in political activities. Thirdly, it had never been UNHCR's intention, in calling for respect for the rights to asylum and non-refoulement, to create or prolong refugee situations artificially. Cooperative relations between Governments and her Office must be based on UNHCR's respect for State sovereignty and their respect for its mandate. Such grave and unsubstantiated allegations against the integrity of her Office and its staff, made in the Executive Committee itself, were unprecedented and did not help forge much needed constructive dialogue and mutual respect. Her Office had discussed matters with the delegation of the Democratic Republic of the Congo and she trusted that they could continue to work together and re-establish a solid basis for cooperation.

14. She was pleased that the Executive Committee provided many opportunities for herself and her colleagues to carry out important consultations with delegations. Direct contacts were invaluable in dissipating mistrust and promoting understanding.

15. Concerning other regions, she had listened with attention to the Colombian delegation's request for her Office to help it solve the problems of its internally displaced. She had decided to ask the Assistant High Commissioner to visit Colombia to assess whether UNHCR could play a role in that troubled area.

16. As to the role of UNHCR in the post-conflict rehabilitation process, she wished to clarify a number of issues. UNHCR had no mandate, expertise or capacity for enlarging the scope of its humanitarian work into development activities. Voluntary return in safety and dignity remained the fundamental aim of all its repatriation operations and obliged it to be involved in the post-conflict rehabilitation and reconciliation process.

17. Its approach had two objectives. First, it needed greater assurances from development agencies that they would address the social, economic and psychological needs of returnees in their longer-term programmes. An earlier collaboration and a more horizontal division of work was preferable to the "relief to development" sequential model of post-conflict activities. Secondly, UNHCR must plan and implement its own short-term, quick impact projects with reconciliation in focus; that would help make repatriation sustainable and prevent further involuntary displacement of populations.

18. She re-emphasized UNHCR's readiness to participate actively in a common United Nations endeavour for planning at the onset of crises and for implementing post-conflict rehabilitation strategies in a collaborative manner. In that context, it was important that donor Governments should take note of the need expressed by the representatives of many countries of the South, especially Africa, for more resources to be allocated to communities hosting refugees or receiving returnees.

19. In the challenging year ahead, UNHCR would continue to be heavily involved in Bosnia and the Great Lakes region. It would proceed with the

repatriation of Liberians, in support of which the cooperation of the asylum countries and of ECOWAS would be indispensable. It hoped to accelerate the UNHCR Consultative Process covering Central and South West Asia and the Middle East (CASWAME) and the CIS Conference process. The commitment of the countries concerned would be essential, but she also wished to refer to UNHCR's important partnership with the International Organization for Migration, particularly in the CIS.

20. The CHAIRMAN expressed deep appreciation to Mr. Hall, who would be leaving Geneva for an important new assignment in UNHCR, for his outstanding service as Secretary of the Executive Committee over the past six years.

CLOSURE OF THE SESSION (agenda item 12)

21. The CHAIRMAN declared the forty-eighth session of the Executive Committee closed.

The meeting rose at 11.10 a.m.